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09/919,727	07/31/2001	Stephen Ashcroft	6311-045	4322
21890	7590	04/23/2007	EXAMINER	
PROSKAUER ROSE LLP PATENT DEPARTMENT 1585 BROADWAY NEW YORK, NY 10036-8299			PRIETO, BEATRIZ	
			ART UNIT	PAPER NUMBER
			2142	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/23/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/919,727

Applicant(s)

ASHCROFT ET AL.

Examiner

Prieto B.

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on July 31 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/30/07 has been entered.

Claim Rejection under 35 U.S.C. §112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 19 and 31 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement including NEW MATTER. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In this case, added clause "wherein no processing steps are implemented in the model bean" was not described in the specification, as noted by applicant (remarks p. 10). The specification describes as cited by Applicant where the model bean does not contain any "business logic or formatting logic." Not wherein no processing steps are implemented. In fact, the structure of model bean (218) is a Java class that is able to hold data elements inside, to "set" these data elements to specific values, and then subsequently to "get" these values back out [par 0061]. "Processing steps" is not within the boundaries of the patent protection sought as set for the definitely, albeit negatively, in the specification.

Any negative clause supported by the specification showed by directed to what is explicitly recited in the specification. (see Negative limitations MPEP 2173.05(i). Negative limitation(s) require that the boundaries of the patent protection sought are set forth definitely,

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albeit negatively, the claim complies with the requirements of 35 U.S.C. 112, second paragraph. Limitations should not define the invention in terms of what it was not, or excluding what the inventors did not invent rather than distinctly and particularly point out the invention. In re Schechter, 205 F.2d 185, 98 USPQ 144 (CCPA 1953). Any negative limitation or exclusionary proviso must have basis in the original disclosure. If alternative elements are positively recited in the specification, they may be explicitly excluded in the claims (see MPEP § 2173.05(i)).

For the purposes of examination, claim limitation will be interpreted in light of the written disclosure.

Claim Rejection under 103

4. Quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action may be found in previous office action.

5. Claims 1-17, 19-29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson (US 6,697,815) in view of Ryan et. al. (US 2002/0130899) (Ryan hereafter)

Regarding claim 1, a “controller” servlet (204) receiving a request for a web page (col 5/lines 7-27) and invoking one of a plurality of handlers (210) associated with said requested web page (col 3/lines 64-col 4/line 12);

said plurality of “handlers” business program (210, col 6/lines 55-55) each performing a processing task associated with one of said plurality of web pages, including processing content required for said requested page (abstract, col 7/lines 55-61);

a handler associated with the one page generating output data “content” required for one web page (content col 8/lines 10-20, col 7/lines 55-67);

populating or storing in an UI model bean (206, col 6/lines 48-49) with said obtained content (col 7/lines 62-col 8/line 35, col 4/lines 13-15);

wherein the model bean does not perform business logic or formatting logic (col. 7, lines 24-26);

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said controller invokes one of a plurality of “views” JSP (208, col 6/lines 50-52) for presenting said requested web page (col 8/lines 39-42), said view associated with one web page for receiving said content from said model bean (col 9/lines 26-34) and for presenting the one web page (col 8/lines 26-53, col 8/lines 43-44);

a view bean being accessed (invoked) a view associated with one web page for formatting “rendering” the one web page (step 260 of Fig. 2, col 8/lines 43-44);

wherein the “controller” servlet, plurality of handlers, the model bean, the plurality of views, a view bean reside on a server (col 6/lines 26-34); wherein the at least one model bean is constructed by a web server (col 7, lines 11-23 Fig. 2); although Wilson teaches that the business processes invoked by the controller retrieve content required from the web page, it does not explicitly teach where the handler invokes a bean for performing this retrieval;

Ryan teaches a data bean for retrieving data from the database [0014, 0106], a data access layer 106h performing data retrieval, said data layer comprising data beans (106f, 106e) [0115].

a combination of presentation beans, data beans, and business related (e.g. advertisement) beans to build pages that are delivered to the consumers, where business logic is incorporated into the beans (abstract), wherein the higher layer is capable of implementing business logic, the higher layer being on the lower layer. Specifically, a “layered content bean” comprising a first “higher” layer (e.g. a presentation/control layer) and a second “lower” layer (e.g. application/data access layer), wherein the first layer comprises business logic beans for retrieving respective information (e.g. advertisement bean) [0014], the first layer comprising content related beans (e.g. presentation beans 108b) process business logic (rules both presentation and non-presentation or format related) [0130, presentation beans having business logic, see claim 46]. Thereby Ryan teaches a presentation layer that is capable of implementing business logic, where the presentation layer is on top of the application/data access layer).

It would have been obvious to one ordinary skilled in the art at the time the invention was made given Wilson teaching for retrieving content for building web pages, Ryan’s teachings for building web pages would be readily apparent. Specifically, given Wilson’s suggestion for separating program process as an invocable thread of a single daemon process. One would be motivated to combine the references teaches implementing business processes invoking data retrieval beans for retrieving content associated with a request, where business logic may be

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incorporated into a higher layer comprising the beans to allow the system to select content and displays based on the consumer, the consumer's product, network, geography, weather, co-brand, language, and locale, as suggested by Ryan (abstract) or the higher layer implementing *business rules that may include a non-presentation related rule* such as displaying wind chill when temperature is less than a certain specified temperature and displaying heat index when the temperature is more than a second temperature, as suggested by Ryan.

Regarding claim 2, said requested web page includes one parameter validated by a handler (Wilson: col 6/lines 3-14)

Regarding claim 3, wherein said request for said requested web page is subsequent to a link invocation "navigation" (Wilson: col 5/lines 7-50 validated by a handler col 5/lines 59-65).

Regarding claims 4, one of said plurality of handlers directs said controller to cause a different web page to be presented (i.e. handler corresponding to requested page Wilson: col 7/lines 55-61).

Regarding claim 5, one of said plurality of handlers directs said controller to invoke a different one of said plurality of views (bean/JSP) for presenting said requested web page (Wilson: col 8/lines 26-33).

Regarding claim 6-8, one of said handlers renders the requested web page (Wilson: col 7/lines 55-61); wherein said controller presents the requested of web page generated (Wilson: step 262 of Fig. 2); wherein each of said plurality of handlers is multithreaded (i.e. multiple programs each comprising a thread Wilson: col 7/lines 55-61, col 3/lines 31-34).

Regarding claim 9, wherein one content bean receives content from a database, see Wilson: col 5/lines 55-59, see Ryan: retrieving data from the database [0014, 0106], a data access layer 106h performing data retrieval, said data layer comprising data beans [0115].

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Regarding claim 10, wherein said database system has a first interface requiring a translation to access database via said interface [Ryan: 0014, 0106].

Regarding claim 11, content beans each having a function, which is “layered”, i.e. each provide a distinct structure business function logic, [Ryan: 0014, 0130].

Regarding claims 12-13, “configuration file” UI record model bean including a series “list” of data objects for said one web page for inclusion in said at least one of said plurality of web pages (Wilson: col 8/lines 10-16), and wherein said content bean receives said list of data objects to retrieve (Ryan: 0014, 0130), and wherein different pages are generated by modifying the beans (e.g. model bean/JSP) (Wilson: col 9/lines 26-34).

Regarding claim 14, authorization requirements for said requested web page satisfies said authorization requirements (e.g. valid credit card or adequate credit, Wilson: col 7/lines 47-54).

Regarding claim 15, views are multithreaded (i.e. multiple programs each comprising a thread Wilson: col 7/lines 55-61, col 3/lines 31-34).

Regarding claims 16-17, JSP technology views (bean/JSP) for presenting said requested web page (Wilson: col 8/lines 26-33) and view beans formats the one of pages (Wilson: col 8/lines 43-44) into HTML (col 4/lines 19-24, col 6/lines 50-52).

Regarding claim 19, this method claim comprises substantially the same functions discussed on the system claim 1, same rationale of rejection is applicable.

Regarding claims 20-28, these method claims comprises are substantially the as discussed with respect to system claims 2-4, 9-14, respectively, same rationale of rejection is applicable.

Regarding claim 29, rendering includes formatting said requested web page into HTML (Wilson: formatting col 8/lines 43-44 into HTML col 4/lines 19-24, col 6/lines 50-52).

6. Claims 18 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson in view of Ryan in further view of U.S. Patent No. 6,591,272 Williams.

Regarding claims 18 and 30, however the above-mentioned prior art does not teach language translation with respect to the generation of a requested web page.

Williams teaches the use of EJB or bean based scripts associated with business processes for translating content in response to a web page request (col 12/lines 19-30, col 21/lines 9-50 and col 27/lines 54-65).

It would have been obvious to one ordinary skilled in the art at the time the invention was made given the suggestion of Wilson for dynamically customized generating web pages in response to user request including invoking at least one view bean for rendering said requested web page, the teachings of Williams would be readily apparent. One would be motivated to include translation files generated to apply foreign language translation to multiple class files "model bean" storing database associated content in response to an HTTP base user request also rendering retrieved content according to the capabilities of ultra-thin client, as suggested by Williams extending Wilson's

Regarding claim 31, this system claim is substantially the same as claim 1, same rationale of rejection is applicable, limitation further includes, wherein a "controller" servlet (204) receiving a request for a web page (col 5/lines 7-27) and invoking one of a plurality of handlers (210) associated with said requested web page (col 3/lines 64-col 4/line 12); and said controller invokes one of a plurality of "views" JSP (208, col 6/lines 50-52) for presenting said requested web page (col 8/lines 39-42), said view associated with one web page for receiving said content from said model bean (col 9/lines 26-34) and for presenting the one web page (col 8/lines 26-53, col 8/lines 43-44).

Response to Arguments

7. Regarding claims 1, 19 and 31, it is argued the applied prior art does not teach added limitation, namely, because the applied reference(s) do not teach wherein the at least one model bean does not contain any business logic or formatting logic, now labeled as “processing steps”.

In response to the above-mentioned argument, acknowledgment is made to the portions of the specification referred to by applicant cited by examiner (see response to arguments paragraph 7 on page 7 of office action mailed 10/10/06) which now further applicant relies on. The portion of the Wilson reference presented to applicant in this response to arguments section, describes the following:

The gateway servlet 204 receives the information entered in the data fields by the user (hereinafter input data). In step 232, the gateway servlet *instantiates* a *bean* designed to process the input data as needed. In step 236, the gateway *populates the bean with the input data*. As is well known in the art of Web software development, Java is an *object* oriented programming language in which a Java bean is a small program that is a class, i.e., a set of attributes (data) and a set of methods (what to do with the data). When another program, such as the gateway servlet, *populates a particular bean with data*, a new instance of that bean is created. Each instance of that bean has different data (attributes) but the same processes (methods). In accordance with the invention, the *beans do not perform business processing*. However, they preferably perform all other processing of the input data (col. 7, lines 11-25). Claim 30 of the Wilson patent recites: *instantiating* a second Java bean for said second data set; *populating* said second Java bean with said second data set, said second Java bean manipulating said second data set to generate meta information corresponding to said second data set.

According to applicant's specification: the model bean is for storing the content [0010]. After the data processing performed by content beans 215 is completed, the invoking one of handlers 217 *constructs a model bean 218 and populates model bean 218 with the data* retrieved from the content system by content beans 215. The function of model bean 218 is to hold the data that results from processing a web page request that is to be used to present the requested web page. *The structure of model beans 218 is a Java class that is able to hold data*

elements inside, to 'set' these data elements to specific values, and then subsequently 'get' these values back out. The specific data that model bean 218 holds is determined by the business operation being performed and the data values resulting from this business operation that are to be displayed as a result. So for example, for an application in which an account transfer is to be made, model bean 218 typically holds at least the previous balance, the resulting balance and the name of the particular account [0061]. In an exemplary embodiment, model bean 218 does not contain any business logic or formatting logic as these functions are performed by handlers 217 and views 219 (as will be described below) [see 0062].

Thus, the model bean according to the specification does perform set and get methods/operations, the model bean does not contain any business logic or formatting logic.

This added clause is inconsistent to what now is claimed, namely, "wherein no processing steps are implemented in the model bean". Because "processing steps" does include the processing steps of *'set' these data elements to specific values, and then subsequently 'get' these values back out.*

The 'set' of data elements to specific values, and then subsequently 'get' these values back out is not distinguishable over the prior art' Java bean instantiated by the servlet designed for a particular data-set/object and sets the data of the UI record into the bean, wherein the UI was populated by the back end computer (col. 4, lines 8-15). The gateway servlet 204 receives the information entered in the data fields by the user (hereinafter input data). In step 232, the gateway servlet instantiates a bean designed to process the input data as needed. In step 236, the gateway populates the bean with the input data. Java bean is a small program that is a class, i.e., a set of attributes (data) and a set of methods (what to do with the data). When another program, such as the gateway servlet, populates a particular bean with data, a new instance of that bean is created. Each instance of that bean has different data (attributes) but the same processes (methods) (col. 7, lines 11-33); In step 252, the gateway instantiates the identified bean (hereinafter termed UI bean). In step 254, it populates that UI bean with the data from the UI record (col. 8, lines 35-38). Further, the Wilson reference teaches that the beans do not perform business processing, however they preferable perform all other processing of the input data (col. 7, lines 24-26).

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Applicant's arguments that the bean of the reference is not the claimed model bean because the bean of the reference contains business or formatting logic.

8. Regarding claims 1, 19 and 31, it is argued the applied prior art does not teach added limitation, namely, according to applicant there is not suggestion that the UI record is a bean.

In response the above-mentioned argument, applicant's interpretation of the applied reference has been considered. Wilson discloses that the server (gateway servlet) creates (i.e. instantiates) a Java Beans that has been designed for that particular data-set/object and sets the data of that UI record into the bean (col. 4, lines 13-15); the gateway servlet instantiates a bean (step 232 of Fig. 2) designed to process the input data as needed, then the gateway populates the bean with the input data (step 236). Further according to the Wilson reference: As is well known in the art of Web software development, Java is an object oriented programming language in which a Java bean is a small program that is a class, i.e., a set of attributes (data) and a set of methods (what to do with the data). When another program, such as the gateway servlet, populates a particular bean with data, a new instance of that bean is created. Each instance of that bean has different data (attributes) but the same processes (methods) (col. 7, lines 11-24).

The Java bean of the reference is not distinguishable over the claimed "model bean" in this respect.

Applicant's arguments that the applied reference does not teach where the UI record is a bean have been considered but not found persuasive.

9. Applicant's arguments have been fully considered but no found persuasive.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (571) 272-3902. The Examiner can normally be reached on Monday-Thursday from 5:30 to 2:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Andrew T. Caldwell can be reached at (571) 272-3868. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system, status information for published application may be obtained from either Private or Public PAIR, for unpublished application Private PAIR only (see <http://pair-direct.uspto.gov> or the Electronic Business Center at 866-217-9197 (toll-free).

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